

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ESMELING L. BAHENA,

Plaintiff,

v.

MENDOZA,

Defendant.

Case No. 1:22-cv-01585-BAM (PC)

ORDER CLARIFYING DEADLINE TO FILE  
PLAINTIFF'S OPPOSITION TO MOTION  
FOR SUMMARY JUDGMENT AND  
DEFENDANT'S REPLY

(ECF No. 92)

Plaintiff Esmeling L. Bahena ("Plaintiff") is a state prisoner proceeding through counsel and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's second amended complaint against Defendant Mendoza for excessive force and deliberate indifference to medical care in violation of the Eighth Amendment.

On October 9, 2025, Defendant filed a motion for summary judgment. (ECF No. 92.)

The parties are advised that it is the Court's general practice to apply Local Rule 230(l) and certain other local rules concerning actions in which one party is incarcerated and proceeding *in propria persona*, to actions in which the plaintiff is represented by counsel.

Accordingly, IT IS HEREBY ORDERED as follows:

1. Plaintiff's opposition or statement of non-opposition to Defendant's pending motion for summary judgment is due not more than **twenty-one (21) days** after the date of service of the motion.

2. Defendant's reply, if any, is due not more than **fourteen (14) days** following the filing of Plaintiff's opposition.

3. The motion will be deemed submitted upon the record when the time to reply has expired.

IT IS SO ORDERED.

Dated: October 14, 2025

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE